



PATENT APPLICATION
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Masahiko, DOHI, et al.

Appln. No.: 09/125,814

Confirmation No.: 8214

Group Art Unit: 1617

Filed: August 26, 1998

Examiner: A. Berman

For: POWDERY COMPOSITION FOR NASAL ADMINISTRATION

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated February 15, 2002, Applicants elect

Group IV (claims 54-56 and 78-80) with traverse for further prosecution on the merits.

Applicants respectfully traverse the Restriction Requirement for the reason that the Examiner has been already been examining the claims, which correspond to claims originally presented and canceled. Since the Examiner has been examining all of the claims (product claims and process claims depending from the product claims), it appears that it would not be seriously burdensome for the Examiner to continue to do so. *See* MPEP §803. Accordingly, Applicants respectfully request that the Restriction Requirement be withdrawn.

In addition, in the event that the Restriction Requirement is not withdrawn, Applicants respectfully request that the non-elected claims be rejoined with the elected claims if the linking claims (claims 46-50, 57-66 and 81-90) are found allowable.

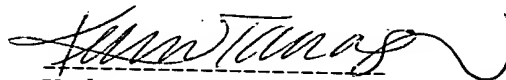
Should the Examiner have any questions or wish to discuss this application, the

RESPONSE TO RESTRICTION REQUIREMENT
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Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Please charge any fees necessary to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No.: 19-4880.

Respectfully submitted,



Keiko K. Takagi
Registration No. 47,121

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Date: March 8, 2002